

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

In Re:

**CASES UNDER CHAPTER 7
OF THE BANKRUPTCY CODE**

**GENERAL ORDER DIRECTING DISPOSITION OF CHAPTER 7 CASES IN WHICH
11 U.S.C. SECTION 727(a)(9) MAY BE INVOKED**

A proposal for a *sua sponte* order of the Court resolving certain issues relating to the debtor's ineligibility to receive a discharge in cases under Chapter 7 in which 11 U.S.C. Section 727(a)(9) may be invoked, having been considered, and the Court having recognized the necessity for the filing of an adversary complaint objecting to the discharge pursuant to Fed. R. Bankr.P. 4004(c)(1)(B) with respect to such cases, and good cause having been shown,

IT IS ORDERED that:

1. If the Clerk determines that a Chapter 7 debtor may have received a discharge under section 11 U.S.C. section 1228 or 11 U.S.C. section 1328, or under section 660 or 661 of the Bankruptcy Act, in a case commenced within 6 years before the date of the filing of the Chapter 7 petition, a docket entry will be noted in the case reflecting the debtor's potential ineligibility to receive a discharge pursuant to 11 U.S.C. Section 727(a)(9). An adversary complaint must be filed to object to the debtor's discharge. If no adversary proceeding is filed within 45 days of the docket entry of the potential ineligibility of the debtor to receive a discharge, the discharge will be issued to the debtor.

2. This General Order becomes effective on December 14, 2006, upon which date this

procedure will be implemented with respect to all Chapter 7 cases filed under the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005 (“BAPCPA”).

6. Notice to the Bar of this Order shall be provided on the Court’s Website:

www.njb.uscourts.gov.

Date: December 14, 2006

/s/Judith H. Wizmur
Hon. Judith H. Wizmur
Chief Judge, United States Bankruptcy Court
District of New Jersey